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Citation: Paterson, Elaine (2012) Urban design and the national planning policy framework for England. URBAN DESIGN International, 17. pp. 144-155. ISSN 1357-5317

Published by: Palgrave Macmillan

URL: <http://dx.doi.org/10.1057/udi.2012.3> <<http://dx.doi.org/10.1057/udi.2012.3>>

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TITLE

Urban Design and the National Planning Policy Framework for England

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## ABSTRACT

Design control through the planning application process is not well understood and is not practised consistently. Similarly wider urban design decisions and policies within town planning locally, ranging from development briefs to development plan policies on urban design, are made in a varied manner, often without reference to urban design principles.

The National Planning Policy Framework (NPPF) (2012) presents an opportunity to provide coherent guidance on urban design principles that should be applied locally. The NPPF, and reactions to its potential to address urban design issues, are examined, partly through primary data from urban design experts and community organisations. Literature relating to planning governance and urban design policy making is also considered in terms of the potential place of the NPPF in relation to urban design matters.

A consensus emerged that certain urban design principles and tools should be included in the NPPF, or as a supplement to it, with a degree of prescription but without providing detail more appropriately covered at the local level. Whilst the NPPF reiterates some key points from previous guidance on urban design, and is prescriptive with a requirement for local design review panels, the lack of reference to some well recognised urban design principles and tools indicates a supplement may be needed to strengthen the urban design message in the NPPF as a key national policy document. The tension between shifting power to local levels and

simultaneously producing useful national policy is likely to a problem facing many governments worldwide.

**KEYWORDS:** National Planning Policy; Urban Design; Urban Design Policy

## **Introduction**

The focus on Localism since the Coalition government was elected in 2010 has generated much debate on what level of government, or non government organisation, should provide planning services, including urban design. National and various local levels of government have included planning policies that discuss urban design for many years, but the balance between the levels of government is changing. Urban design is a well established part of town planning, although it is acknowledged that urban design can cut across various built environment professions. It is urban design within town planning that is examined in this paper.

The Localism Act 2011 makes it clear that most planning decision making should be at a local level, but with an important new overarching National Planning Policy Framework 2012 (NPPF). This intent seems in part to be a reaction to the previous government being strongly centralised, but the shift towards community volunteers making more decisions appears as likely to be driven by public sector budget reductions as by any ideology.

Planning is changing at all levels with the regional level being abolished and new neighbourhood plans to be produced by communities for small local areas. At national level all the planning policy statements and guidance are to be abandoned in favour of one single National Planning Policy Framework, so considerably reducing the level of detail for most national policy. Simultaneously the government is preparing national policy statements on infrastructure and may consider production of a national spatial

strategy, all of which are separate but need to be complementary to the NPPF. At local authority level local development frameworks, or local plans as the current government is calling them, will remain and will be relied upon more strongly in future given the abolition of regional planning and reduced detail at national policy level. Another local level of planning is being added, however, at neighbourhood level; local communities may now produce neighbourhood plans. The government hopes all this will mean faster decision making, but there is likely to be greater uncertainty in terms of policy and decision making roles so in turn this may mean more lengthy decision making through the courts.

This paper will focus on the NPPF and although the NPPF will have to cover all the main planning policy issues, it is the potential urban design content that is being examined here. As a key planning issue it is critical that the NPPF covers urban design in a meaningful manner, at the very least in order to provide some consistent framework for urban design policy at local levels. It is not the intention of this paper to discuss Localism in detail – indeed the NPPF is not part of the Localism Act. However the localism context is relevant only in as far as it indicates the position of national policy in the new planning governance.

Urban design policy at all levels is currently fragmented and it frequently suffers from lack of clarity on its status or importance. The NPPF provides an opportunity to address this at national level. It should send clear messages to local authorities and communities on the relative importance of urban design and what principles local authorities and communities might use to develop a second or even third tier of detailed local policies in local and neighbourhood plans.

Local communities are unlikely to have either the skills or finance to make detailed urban design assessments for neighbourhood plans, or even commission consultants for this purpose, unless they have at least a format to follow as well as some understanding of urban design principles. This is where the NPPF could make a real difference. The extent to which local authorities can help communities will be limited as no additional finance has been allocated to them for this; indeed severe cuts have been made. A relatively small £3.2m government fund was agreed in March 2011 for the Royal Town Planning Institute and voluntary organisation assistance to communities (RTPI, 2011).

In the UK there is no clear urban design policy hierarchy at present. There are various policies produced at national and local levels with some areas having considerably more detail than others, and there is lack of clarity on the weight to be attached to various policies in decision making. The nature of urban design policy will be discussed later, but there is clearly scope for producing policy that is easier to use in decision making, possibly by creating a clear hierarchy starting with a strong NPPF.

This paper will first briefly examine some of the theoretical background on power relations in local planning authorities and approaches to planning governance to set the new Localism scene in context. Recent literature reacting to the Localism agenda in planning and the NPPF will be reviewed followed by a discussion on urban design policy making. Primary data has been gathered from urban design professionals (including academics and practitioners) as well as from national community organisations that relate to planning in the form of opinions on the potential urban

design content of the NPPF. This is analysed and the paper will conclude with some possible scenarios for the future of urban design policy at national level.

### **Theoretical approaches to planning governance**

The philosophical debate on who and what level should take the lead on urban design issues in planning decision making, as well as the manner in which decisions are made, is key to achieving good urban design outcomes.

Healey (2006) provides a succinct summary of theoretical approaches to planning decision making over several decades, outlining the rational versus the disjointed incrementalist approaches as the main contenders, as well as various approaches on the question of values.

The rational approach, originally proposed by Davidoff and Reiner (1962), maintained it was possible to separate fact from value and that policy analysis by planners occupied a separate value free place from the political and institutional context in which goals were articulated. Lindblom (1963) set out an alternative to rationalism in the form of disjointed incrementalism suggesting problems be approached in small steps slowly towards grander goals and this process was very much influenced by local economics. The latter appears to reflect much recent UK planning, but for a more objective approach perhaps more rationalism is desirable, even though this is harder to achieve.



Resolution of the many competing values at local level will be more difficult under localism without any significant strategic policy overview to refer to. A degree of strategic objectivity to provide a rationalist element is likely to be in the interests of a greater number of people especially the less articulate and disadvantaged. This in turn links with concepts of justice and equality which are key to the aims of democratic planning.

Planning is inextricably linked with politics and must follow the political direction of the moment, but within that a degree of rationalist thought might help to maintain a professional stance that in turn could improve planning outcomes. Some detachment from politics through acknowledging, though remaining removed from, value laden political discourse could help consistent and fair decision making as well as considered and balanced policy and advice. However a letter from the Chief Planner at the Department of Communities and Local Government (DCLG) (March 2011), following politicians instructions, asked all local planning authorities to give priority to economic growth in decision making. This type of instruction not only undermines the principle of local decision making to which the government says it is committed, but also indicates an increasing departure from rationalism. It means that environmental issues, including urban design, may struggle to get a thorough and balanced consideration because of undue political pressure to make economic growth a priority. On the other hand however, the government has made it clear that design quality is also important and the NPPF does reflect this to a degree.

Healey (2006) favours a collaborative approach to planning which appears to accord with some elements of the Localism Act 2011. The collaborative approach responds

to increasing demands for public involvement in influencing planning policy and decisions, but Healey (2006) notes that this does not mean citizens seek to be involved in all decision making; rather they seek evidence of the quality of attention being paid to them. The current UK government may have missed this point in their localism agenda. Instead of focussing on means to improve translation of citizens views into action (with clear communication), they have suggested citizens must do more themselves particularly in the form of producing neighbourhood plans. It seems a combination of the right level national guidance, education for communities and improved means of communication between government and citizens will be required.

## **Reactions to the Localism agenda for Planning and the implications for NPPF**

### **Design Policy**

Rydin (2011) notes that the area in which the localism agenda is weakest concerns the information base for neighbourhood planning and Tewdwr-Jones (2011) observes that changing the process to allow different people to take the decisions does not mitigate the necessity for robust and resilient strategic and local intelligence. So both concur that guidance at a strategic level will be critical. Tewdwr-Jones (2011) goes on to ask “Can you really mix participatory democracy with representative democracy?” appearing to suggest that it may not be clear enough who will be making the important decisions. Ellis (2011) believes that the NPPF could have addressed this by indicating the balance of local and national concerns and how they relate to each other, but in fact the NPPF appears to have missed this. Indeed the DCLG Committee eighth report (2011) focussed on the NPPF and also concluded that clarity is needed

in the NPPF on the relationship between the NPPF, local plans and neighbourhood plans.

Perhaps a useful observation by Healey (2006) is pertinent at this point: that we need a more horizontal conception of government levels and it does not have to be either top down or bottom up, in terms of power. Healey observes that there should be a framing rather than a linear connection between policy principles and flow of action. If the government had embraced this idea the NPPF might have gone further, without conflicting with the intentions of localism. Even if the NPPF contained more prescriptive policy this need not be viewed as instructions from the top but a principle based framework for consistent local action.

The Royal Town Planning Institute (RTPI) (2011) broadly supports the localism agenda with some major reservations. One of these concerns the profile of the NPPF. It believes the NPPF should have been statutory, obliging decision makers by law to take account of the NPPF, and that it should have related to key government objectives rather than simply Planning Policy Statement (PPS) topics. Like Ellis (2011) the RTPI also regrets that the NPPF does not set out how different levels of plans relate to each other.

Former Sustainable Development Commission chair Jonathan Porritt, speaking at the Planning Convention in London in June 2011, goes further saying that “sustainable development as a mediating framework in planning is essentially dead”. His belief is that the government is equating economic growth with sustainable development therefore environmental concerns, including urban design, will not be addressed

sufficiently (Hickley, 2011). It is not within the scope of this paper to discuss definitions of sustainable development in detail, but a reference to environmental quality or design quality within the definition of sustainable development in the NPPF would have helped raise the profile and priority of design.

### **Urban Design Policy making**

Urban design, like most aspects of public policy is a complex area, in need of a simple recipe and greater clarity (Rittel and Webber, 1974 referenced by Rowley, 1998 in Carmona and Tiesdell, 2007). Urban design policy has evolved over fifty years and is now more wide ranging than ever, but still with no clear hierarchy. The need for distillation of the key messages is pressing and the NPPF could have been the vehicle.

Punter (2011) provides a comprehensive overview of urban design policy making and implementation over the past decade and provides useful pointers on what the key urban design messages are currently and how these may be conveyed. He begins with the Urban Task Force chaired by Richard Rogers (UTF, 1999) which he considers gave a massive boost to the urban design dimension of planning. The UTF recommended a national urban design framework, although it is unclear exactly what they intended and this has not really been achieved in a coherent way. Punter (2011) indicates it is ongoing and refers to some excellent manuals that have been produced, but it is debatable whether a collection of manuals adds up to a national framework. He also refers to Planning Policy Statement (PPS1) (DCLG, 2005) with its proactive approach to design and its companion practice manual “By Design” (DETR/CABE,

2000). These two documents appear to approximate to a national framework to a degree (although not promoted as such by government), especially the latter document as it has more detail. In turn Punter (2011) refers to work by Bentley et al (1985) that set out urban design principles now widely accepted and used in PPS1 and “By Design”. Significantly both PPS 1 and the NPPF emphasize “the indivisibility of good planning and design”, reinforcing that good planning must promote good design as a key purpose of planning.

Between 2000 and 2010 the Commission for Architecture and the Built Environment (CABE) produced a large body of literature that influenced policy, including PPS 1, and this also raised the profile of urban design as an issue within planning. The most important themes and tools that CABE tackled were the link between good design and value of property (of obvious significance for the development industry), design coding, design review, the building for life criteria (now widely used by LPAs in assessing planning applications) and design and access statements (now a requirement for most planning applications in law). All of these design tools assist in assessing design submissions to Local Planning Authorities, and detail on these can be found in papers elsewhere: see Paterson (2011) on design review and Paterson (2011) on design and access statements.

Quality Reviewer, produced by the Homes and Communities Agency (HCA) is the most recent design quality assessment tool and is very comprehensive, although not so widely used as yet (HCA, 2010). Manual for Streets (DfT, 2007) is another key design document relating to spaces between buildings, and has helped reduce the

prioritisation of vehicles in the layout of new development often with positive urban design benefits.

A few urban design strategies for major cities such as Glasgow, Birmingham and Bristol have materialised over the past decade but this level of urban design policy is not widespread. Indeed some authorities such as Cardiff and Newcastle may have deliberately avoided strong strategic design policy lest it impeded development activity and much needed jobs. Hence there is little consistency nationally, partly perhaps due to lack of clear national messages from government.

Cooper and Boyko(2009) examined tools for urban design decision making and conclude that illuminating the complex process of urban design and making it explicit, including the decision making tools, could be helpful and could help clarify where trade offs and negotiation opportunities lie. This approach should be central within the NPPF, but appears to be absent.

The Netherlands provides a good model for UK national policy in that the Netherlands has a strong national spatial strategy which includes references to urban design. Numerous study tours to the Netherlands from the UK, often organised by the Town and Country Planning Association, have found exemplar design in new developments, especially housing. Such exemplars can be facilitated by strong national policy expectations of high quality design, with perhaps more standards and less negotiation than the UK (Hall, 2010).

Another reference to the strength of the national approach in urban design matters in the Netherlands is made by Spratley, (2009) in his book review of Cousins, (2008) *Design Quality in New Housing: Learning from the Netherlands*. In particular there is an emphasis on use of design codes to provide a framework for large development sites as well as the importance of human scale. It appears that design policy at the national level in the Netherlands covers both the macro and micro levels of urban design in that the need for overall frameworks as well as some detail of standards at site level are covered. Madanipour, (1997) points out that when observed simultaneously the macro and micro scales of urban design could create a large degree of ambiguity, but that the nature of both processes should be seen as closely interrelated and should not be separated. This is a significant challenge for any national policy that intends to be concise. Furthermore full coverage of the micro level in national policy is likely to be inappropriate in the UK context, especially in view of the ongoing governance shift towards having more of the detail at local levels. The key to the NPPF being useful to the local levels would, however, be to touch upon the micro level, as well as the macro, to facilitate local policy and decision making. The DCLG Committee eighth report (2011) concurs with this stating that the NPPF should be “sufficiently detailed to enable local authorities to write their own local plans”. The Committee conclude that the NPPF does not achieve clarity by brevity.

### **NPPF Policy and Urban Design Issues**

The urban design content of the NPPF is set out as two pages within the 52 page document under the sub heading “design” (the term urban design is not used in the

document). Vague language is used for the most part with some key phrases from PPS1 (2005) and earlier design advice being imported. Two important phrases from PPS 1 (2005) that indicate the significance of the topic are “good design is indivisible from good planning” and good design is a “key element of achieving sustainable development”. However the document is much weaker on how to achieve good design or even what good design might constitute, with no reference to design principles that have appeared in the literature over many years. Even the term “local distinctiveness” is no longer used, although reference to “responding to local character” (similar to local distinctiveness) is included. The parameters of the LPA remit on urban design are reiterated almost as in PPS1 (2005) to include scale, massing, density, height, landscape layout and access but no mention of finishing materials. The latter is often critical to local distinctiveness.

Overall the NPPF has reiterated most of the key messages from PPS 1, but the NPPF should go further than this if it is to convey design principles and clarify roles in the form of a clear framework for local levels.

The NPPF goes on to state that LPAs should “avoid unnecessary prescription” and that “truly outstanding design should be given significant weight”. There is no indication of *how much prescription* might be reasonable – a key issue that urgently needs addressing to help ensure some consistency and fairness across LPAs. The “truly outstanding design” comment refers back to earlier policy originally initiated by a previous conservative government under Margaret Thatcher, where the intention was to allow grand new houses in the open countryside (normally assumed against in



planning policy) as long as the design was assessed as outstanding. This is not only a very pro-development policy, but it raises equity issues favouring the wealthy.

The NPPF goes on to state “obviously poor design will be refused”. At first sight this appears sound and helpful, but the inclusion of the word “obviously” refers back to the government circular 22/80 on Development Control, and this can make design refusals on appeal harder to defend as they have to be “obvious” to all, a difficult call when design is so variously interpreted, especially in the absence of design principles set out in policy.

The most specific and prescriptive reference is to a requirement for local design review. Design codes are also mentioned less specifically “where they could help deliver high quality outcomes”: in other words it is up to the LPA to decide. Both design codes and design review (as practised in the UK currently) were CABE initiatives (CABE, 2003 and CABE, 2009) and it appears likely that the Design Council CABE had considerable influence here. Indeed the Design Council CABE (a merger of the Design Council and CABE in 2011) response to the NPPF welcomes the inclusion of reference to design review, as well as saying good design should form part of the definition of sustainable development in the NPPF and indicating there should be more direction to LPAs on producing a positive long term vision in Local Plans.

Finally the NPPF has no references to more detailed design documents that might assist LPAs in their task of producing local policy or making planning decisions at site level. Such references could be in the form of an appendix or supplement to the

NPPF and could be organised in the form of a hierarchy for varying circumstances.

Indeed the DCLG Committee eighth report (2011) recommends that subsequent to the NPPF all guidance and advice documents be reviewed by the DCLG so the contents of the documents that local authorities find operationally and technically useful can be retained for reference in some form.

Unfortunately some potential key advisors on the NPPF content have not been specific enough to help ensure that wording of design policy is sufficiently robust. For example Goodstadt (2011), a key player in strategic planning for many years, suggests sustainability tests must be integral to the NPPF including setting a framework for maintaining and enhancing the quality of the built environment. He does not, however, expand on how this can be done. Likewise the RTPI (2011) expresses the view that the NPPF should, amongst other things, establish the nature of Local Plans including having an evidence base, but does not detail what an evidence base might comprise. Evidence for design policy could, for example, include character appraisals or design principles. A common set of principles and language for urban design, established first at national level is likely to be critical to fostering good design, especially when key design decision making is likely to be even more dispersed at various local levels in future. As Hagyard (2010) points out a common design agenda and language is critical in cultivating the urban design leadership that is lacking at present.

The private sector appears to want government to set out key principles too, as evidenced by a recent House Builders Federation (HBF) statement. Responding to housing minister Grant Shapps' views on wanting to avoid identikit legoland homes

the HBF said “house builders share the minister’s vision of delivering homes people want, but government must provide the ingredients that enable the cake to be baked” (Connelly, M, 2011). Clearer design principles (particularly local distinctiveness), together with setting out procedure for LPAs and communities (requirement to produce character appraisals, for example) in the NPPF, would form a major part of the ingredients that could enable the “cake to be baked” and so help to avoid the identikit problem.

One political intervention which did get more specific was by Nick Raynsford MP. He tabled an amendment to the Localism Bill 2010 (now Localism Act, 2011), promoted originally by the Royal Institute of British Architects (RIBA), to require that developers have regard to local design panels. This was defeated but discussion ensued on how to include good design as an objective in the NPPF (Brown, 2011). This debate, together with the Design Council CABI influence, may have helped secure the most prescriptive statement in the NPPF: that relating to design review, as discussed above. Other points raised by the RIBA on the NPPF are surprisingly uncritical, especially in supporting the Brundtland definition of sustainable development with no suggestion to include a mention of design in the definition. The RIBA do, however, say reference to design codes and local standards is desirable; indeed design codes get a very brief mention in the NPPF, but nothing on standards.

In conclusion the available literature and recent activism around the question of planning and design policy illustrates its complexity. Any new national policy must address issues of democracy, the subsidiarity question (how much decision making at the lowest possible level), the extent to which design policy can be objectivised or

rationalised and in turn how much prescription is appropriate. Furthermore the nature of urban design with its ambiguities of macro and micro scales must be addressed, and not least sense must be made of the considerable quantity of design policy and guidance already in existence, possibly with some prioritisation and hierarchy.

The degree to which lessons can be transferred internationally must always be limited by cultural and institutional variations. The UK Localism debate and consequent weakening of national policy, appears to have set the quest for more rational urban design policy back, perhaps increasing the chance of decision making by appeal and consequently slower decisions. The lessons around governance relate to caution on missing the opportunity to improve policy content at the expense of a focus on the shifting power balance between different levels of government.

### **Primary Research Method**

To gain greater depth and perspective on an optimum scenario for the NPPF some primary data was gathered. Key player (professional) views were sought through semi structured telephone interviews, on the nature of design policy in the NPPF. All interviewees were contacted in advance of the interview and the questions together with the objectives of the research were provided at that point. This allowed time for the interviewees to consider the issues before responding, so facilitating more in depth data. The interviews were carried out during the consultation stage of the NPPF, prior to its final production. The interviewee aspirations for the NPPF are contrasted with the final NPPF content in the analysis of the data.

A random sample of fifteen urban design experts was used. The national Urban Design Group network (a network for professional urban designers within a variety of built environment disciplines) provided initial contacts, and the sample of experts was selected on the basis of having a reasonable knowledge of the emerging NPPF, as well as on the basis of covering a range of professions in the public and private sectors. The range of professions represented including academics as well as architecture and planning practitioners. Fifteen in depth interviews were considered sufficient to provide both an adequate level of detail as well as breadth of views.

To expand the breadth of views opinions were also sought from ten voluntary body organisations with six responding: Planning Aid, Civic Trust, Civic Voice, Locality (previously the Development Trusts Association), National Association of Local Councils (NALC) and the Planning Advisory Service. These organisations were selected as they represent bodies who are working at community level to improve their local environment, and have had involvement in commenting on design issues from a community perspective. Three of these organisations have been selected by the government to advise local communities on preparing neighbourhood plans. These three are Planning Aid, Locality and NALC. The individuals interviewed had professional backgrounds in planning and architecture.

The value of expert views is in-depth knowledge of existing urban design policy and guidance. The value of community organisation views is their experience in working with communities on environmental issues and their imminent increase in profile in neighbourhood planning. Neighbourhood planning will rely on local as well as

national policy and guidance, and indeed will need to conform with Local Plans and the NPPF.

The questions for experts covered the following areas:

- overall opinion on existing urban design policy and guidance
- which existing design documents from government, CABE or other organisations are most useful in practice
- urban design and the NPPF – is it an opportunity for improvement
- should NPPF be statutory (have legal force)
- what should NPPF contain on design – principles or more detail/references to existing documents
- should NPPF be more directional or awareness raising
- should design review be a requirement specified in NPPF for all major development schemes
- should NPPF refer to the place of negotiation in design matters, especially in relation to the requirement for speedy decision making
- what urban design tests should neighbourhood plans have against the NPPF

The questions for community organisations related to opinions on:

- what level of appreciation local people had of urban design principles
- what level of design advice communities needed or wanted from the national level
- whether community organisations wanted to, and were capable of, producing their own local design policy with or without assistance of some kind

- any other comments on community organisations and urban design issues in neighbourhood plans.

## **Data Analysis**

As the data was largely qualitative it was analysed manually. The frequency of similar responses, plus innovative approaches or suggestions that corroborated the literature, were the main features examined in analysis. Answers to questions were distilled to key points and compared across all interviewees. Common points emerging were then collated. Analytical points have been added by the author in the narrative that follows, so merging reporting and analysis under each question topic.

### **Urban Design expert respondents: findings and analysis**

#### *NPPF: an opportunity to improve urban design policy and guidance?*

The majority consider existing urban design policy and guidance to be confusing or at least could be better. One respondent pointed out that the sheer number of documents creates confusion. Given this it was not surprising that the majority viewed the NPPF as an opportunity for improvement of policy and guidance at national level. Two respondents were cautious, however, expressing concern that urban design does not appear to be a government priority and that the balance of power between national and local levels now seems very ambiguous.

This ambiguity is indeed apparent in the NPPF with no guidance on respective roles of different government levels. Although economic growth is the top priority for the NPPF support for quality design is stated in principle, but without enough detail to further the urban design case.

#### *NPPF: statutory or advisory?*

Most respondents considered that the NPPF should be statutory in order to confer sufficient weight in decision making. All wanted the NPPF to provide direction and about half thought raising awareness should play a part. One indicated that the government is committed in existing guidance to promote good design as a duty and that any meaningful duty must inevitably be statutory. Although the government promotes good design through the NPPF it does not have statutory force, contrary to most interviewee aspirations for the document.

#### *Content of design guidance in NPPF*

On the content of the NPPF all of the respondents, except one, stated that the NPPF should include direct reference to urban design principles. Some believed that the NPPF should cover or explain the tools available for LPAs (such as character appraisals) or mention specific existing documents (such as Building for Life (CABE, 2006) or By Design (DETR/CABE, 2000)). One pointed out that mention of too many documents, especially the larger ones, may mean none are actually used in practice. Some considered that the NPPF should set out what LPAs should do in assessing urban design issues and interpreting national guidance locally. A minority thought



that there should be a requirement set out in the NPPF for design review of major planning applications.

The requirement for design review is in fact included in the final NPPF, but principles and reference to relevant guidance is notably absent.

### *Hierarchy of design guidance*

There was little support for the idea of prioritising the use of certain design documents in the NPPF, and even some caution about mentioning any in the NPPF as some become out of date rapidly and it may not be easy to update the NPPF itself. Some, however, expressed support for having some form of hierarchy of design documents set out in the NPPF as an appendix.

Further research to examine all widely used standards, guidance and policy to ascertain which is most useful (and indeed whether any distinction between these categories has any significance) as well as deciding the level of prescription desirable at national level, would be a desirable follow up to the NPPF. Only then would the government be justified in setting out a hierarchy of documents.

### *Most useful existing urban design documents*

This research included questions relating to the most useful urban design documents and these were found to be PPS 1 (2006) and By Design (DETR/CABE, 2000), followed closely by Building for Life (CABE, 2005). PPS 1 defines the scope of

planning and urban design well and By Design provides a high level of detail, including reference to principles such as permeability and legibility, as a companion to PPS 1. Building for Life is more concise than PPS 1 or its companion guide, but it is very open to interpretation. Some considered that references to design in other existing PPSs and PPGs are hard to find and that a dedicated, concise, section on urban design is required in the NPPF so the issue is not lost amongst other matters. There is in fact a dedicated section on design, albeit very short, and some points from PPS 1 are reiterated in the NPPF. There is little evidence of reference to any other design documents however.

### *Negotiating design*

The question about the place of the NPPF in setting out the role of negotiation in assessing planning applications is important as negotiation is a means to improve design quality, and in particular to ensure context is taken into account. Most agreed that negotiation and/or mediation should be covered in the NPPF, with some stressing the importance of the pre-application stage and most saying negotiation on design should be the LPA role, not the local community, as effective negotiation relies on reference to established design guidance much of which local communities may be unaware. Over the past decade the emphasis on speed of determining planning applications has meant that negotiation to improve urban design (amongst other matters) has been reduced or even eliminated to save time and enable LPAs to reach government speed targets. The current government appears to be reducing an emphasis on the target culture at national government level and it is likely that the speed of determining planning applications may become a less overriding factor. In

the light of this it may be timely to set out the place of negotiation, and indeed mediation, particularly as a means to arrive at better design solutions in the course of considering planning applications. The interrelationship between LPA negotiation and the role of design review panels (non elected design experts who provide comment to LPAs and developers on proposed development) might also be tackled as design review ought to inform LPA negotiation, but the timing of each is critical to ensure effectiveness rather than confusion (Paterson, 2011).

This whole area of negotiation is not addressed in the NPPF. It is very much linked with the question of roles which remains ambiguous, as noted by Ellis (2011) and the RTPI (2011)

#### *Neighbourhood Plan Tests and urban design*

Finally the proposed neighbourhood plan tests by an independent assessor against local and national policy, proposed in the Localism Act 2011, should be considered in relation to how such tests might be framed for urban design matters in the NPPF.

Most respondents thought that these should be analogous to the tests of soundness for local plans in that evidence for statements or policy is a key consideration. Most also thought that in terms of urban design the tests for neighbourhood plans should include reference to some urban design principles, or at least production of a local character appraisal and that these should be set out as a requirement of plan production (for communities and LPAs) in the NPPF.

Some respondents were unsure about how these tests might operate so declined to comment. It is not surprising that this topic appeared difficult for some respondents as there is no detail available on how it might operate; a big omission for a critical piece of the planning system jigsaw.

It appears that the link between neighbourhood plans, local plans and the NPPF has not been clearly communicated, and this is essential if the NPPF is being relied on as a key means of assessing neighbourhood plans, including urban design aspects of such plans. Supplementary guidance to the NPPF is likely to be required for clarification.

*Other comments* by respondents included:

- the definition of sustainable development should include reference to quality design. The NPPF fails in this respect.
- the NPPF should say “design out of context should be refused”. Refusal on design grounds by LPAs has often been difficult to defend on appeal, without such statements in policy documents, together with design guidance. This is despite the fact that design is well established as a material consideration in determining applications. In fact the NPPF refers to “obviously” poor design should be refused. The inclusion of “obviously” reduces the possibility of relying on this statement in decision making as it provides greater scope for legal debate.

- the key statement from PPS 1 should be retained “ good design is indivisible from good planning”. This statement has indeed been included in the NPPF and is significant in terms of government intentions.

### **Community Organisation respondents: findings and analysis**

#### *Do communities need advice on planning and design matters?*

All of the community organisation representatives considered that some local people are well informed but most need advice or assistance in planning and design matters. They consider that local people appear to be driven by superficial aesthetics and style rather than design quality and durability. Also most are concerned primarily with their own residential amenity rather than the wider public realm. Most local people are unlikely to be familiar with urban design terminology in particular and many will have no knowledge of urban design principles, although most will have an opinion on design. Without knowledge of principles and terminology a greater degree of subjectivity in decision making is likely, and negotiation directly between communities and developers or their agents is difficult. The NPPF does not assist communities in this respect.

*How could the NPPF help communities with their new task of preparing neighbourhood plans and their expanded role at site specific or planning application level?*

Community organisation representatives consider that the level of advice in the NPPF needs to be simple, brief and not patronising. The consensus was that reference to some important urban design principles and a very limited number of other existing documents would be appropriate. This appears to corroborate the views of the urban design experts on the content of the NPPF, indicating that it may be possible to provide advice to both experts and communities in one document. A supplement to the NPPF might fulfil this role.

*Can or should local communities produce their own design guidance?*

There are precedents for communities producing their own guidance such as village design statements (initiated by the Countryside Commission in 1993). Some of these have worked well in terms of engaging the community with the LPA, and have helped with funding bids for public realm improvements by demonstrating that local people have a vision for their area (Kettering Borough Council, 2010).

The community organisation representatives considered that communities should be encouraged to produce their own guidance but with some professional assistance or advice, especially from the LPA. The problem will be that LPAs have ever decreasing resources and sufficient capacity for assistance is unlikely to be widely available. Given limited LPA capacity, and despite assistance from bodies such as Planning Aid, it is likely to be even more important that written guidance, including an NPPF supplement, is phrased in a helpful and appropriate manner. A diagram to illustrate the process of design decision making as well as priority documents and/or principles

was considered to be a useful approach by interviewees; this too could be included in a NPPF supplement.

The priority existing document mentioned by most respondents was PPS 1 (2006), and specifically the references to local character or distinctiveness and sense of place. Some considered that existing urban design language is not very accessible for local communities. Experts rather than local people use urban design language, but to change this for communities might either dilute the concepts and/or cause more confusion. As pointed out by another representative questioned, training for communities could perhaps address this.

The interviewees provided a rich variety of points, many of which concur with the literature but few of which have been taken on board in the NPPF. Clearly most professional commentators consider the NPPF does not go far enough on urban design. Lack of clarity on the role of the NPPF, in relation to local levels, plus lack of exposition of design principles in particular, are of major concern. The basic design message in the NPPF, exemplified especially in the phrase “good design is indivisible from good planning” is in accord with views expressed in the literature and by interviewees. This could be built upon in the future with supplementary guidance to the NPPF.

## **Conclusions**

The NPPF is one of the most important national planning documents for England. It will be used by LPAs, communities, developers and their agents as a source of advice

as well as defence of their proposals at appeal. It will provide a framework or ground rules for production of plans (albeit lacking in detail) by LPAs and communities and it will be referred to at examinations in public for local plans and by independent assessors for neighbourhood plans. As such, in terms of urban design, the NPPF will provide ground rules for public realm design as well as private site level design.

Although the NPPF does not have the clout of statutory status, it is possible, given the weight of comments in favour of such status, that this issue is revisited in the future.

The nature of any national planning policy is related to questions of the type of governance desirable and realistic at any point in time. Planning theory assists in discussing governance and concepts of rationality, incrementalism and collaboration. Although a drive towards greater rationality should help simplify the system and increase speed, in practice over the past few decades planning has become more incrementalist and with the localism agenda collaboration appears more important than ever. It appears that incrementalism with some collaboration at local levels will persist in the new planning regime. Had the NPPF been more prescriptive greater rationalism might have been injected and the likelihood of greater speed of decision making increased, but balancing this with more power at local levels is of course at the heart of the dilemma of achieving speed, democracy and quality outcomes together. More local power may mean greater democracy but as it will necessitate more debate speed of decision making will suffer and possibly also quality design, in the absence of further guidance.

The urban design literature charts a history of varying degrees of government support for public intervention in design. This has ranged from strong discouragement in the



1980s to a much more positive case for intervention in the late 1990s and the first decade of the twenty first century, assisted by the Urban Task Force (1999) and CABI (in its life between 1999-2010). The more recent positive case for intervention has been accompanied by a proliferation of guidance by various bodies with varying degrees of recognition and usage, so creating a wealth of guidance and advice but giving rise to a somewhat confusing guidance and policy scenario. The NPPF does support the case for good quality design, but without the detail that facilitates strong public intervention either in defending appeals with design issues or promoting design principles to be built upon in plans at local levels. The most prescriptive detail relates to the requirement that LPAs should use the Design Council CABI's design review service, but while this service may be useful perhaps too much reliance is being placed on a service provided by an unelected body, without explaining its role in relation to the LPA.

The extent to which design can be made objective with transferable principles will always be debated. A consensus has emerged in the literature over the past few decades, however, that certain urban design principles can and should be applied universally. This is supported by the primary research for this paper. Also that some urban design tools and processes, particularly character appraisals, are more likely to result in quality townscapes that the majority value. These principles and tools might yet find a place in a supplement to the NPPF, and if not some national policy in the future.

Although this research has provided pointers to the most useful existing urban design policy, guidance and standards, a full audit of the extent and circumstances of use of

urban design documents by key players would be desirable. This could provide a reasoned justification for setting out a hierarchy or prioritisation of documents in any NPPF supplement. It would also be in line with a more rationalist approach to governance.

Overall the urban design policy message would be clearer and stronger (without compromising the localism agenda) if the NPPF had statutory status and more detail as discussed. Consequently the topic may be more widely understood, given more attention and applied more consistently. The tension between attempting to shift power to local levels, and at the same time producing appropriate national policy to reflect government objectives of speed and achieving good quality design, is apparent and is likely to be an issue for governments in many parts of the world.

